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Attorneys for Plaintiff and Counter-Defendant
 ALLSTATE INSURANCE COMPANY

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

ALLSTATE INSURANCE COMPANY, an
 Illinois Corporation,

Plaintiff,

vs.

RICHARD BARNETT and MARIO
 ALEXANDER,

Defendants.

RELATED COUNTERCLAIM.

Case No. C 10-00077 EMC

ALLSTATE INSURANCE COMPANY'S
 REQUEST FOR A SPECIAL CASE
 MANAGEMENT CONFERENCE

ORDER SETTING CMC

Allstate Insurance Company hereby requests that the Court schedule a special Case Management Conference to address the following issue that requires prompt attention.

As the Court will recall, the instant case questions whether an Allstate homeowners policy covered a previous state court action against defendant Richard Barnett by Mario Alexander, formerly a defendant herein. Mr. Barnett's counsel has repeatedly referred to Mr. Alexander (the victim of a Humboldt County shooting) as Allstate's "star witness."

Following the last Case Management Conference, on June 8, 2011, Mr. Barnett's counsel, Randy Perlman, sent a letter to Mr. Alexander's criminal attorney, which stated that Mr. Perlman

1 was providing a copy of Mr. Alexander's deposition testimony in this action to the local
 2 prosecutors. (*See* Exhibit A.) Mr. Perlman had questioned Mr. Alexander extensively in that
 3 deposition about a current pending criminal action against him, and then sent the deposition
 4 transcript to the District Attorney for the apparent purpose of building a criminal case against Mr.
 5 Alexander to render him unavailable for trial or to damage his credibility as a witness should he
 6 appear at trial herein.

7 Allstate therefore requests the Court schedule a special Case Management Conference to
 8 address the propriety of defense counsel assisting in the prosecution of a key trial witness who is
 9 expected to testify against his client. Allstate further requests the conference be scheduled on
 10 August 19, 2011, concurrent with the hearing on Allstate's motion to dismiss and strike.

11 Respectfully submitted,

12 Dated: August 4, 2011

SNR DENTON US LLP

15 By /s/ Michael Barnes
 16 MICHAEL BARNES

17 Attorneys for Plaintiff and Counter-Defendant
 18 ALLSTATE INSURANCE COMPANY

22 IT IS SO ORDERED that a Case Management Conference is set for 8/19/11 at 1:30 p.m.

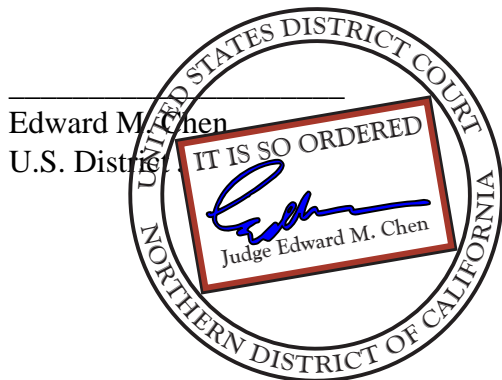


EXHIBIT A

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June 8, 2011

Via Email Only
gloriasheets2005@yahoo.com
Gloria Sheets
Attorney at Law

Re: Pending charges against your client Mario D'Angelo Alexander

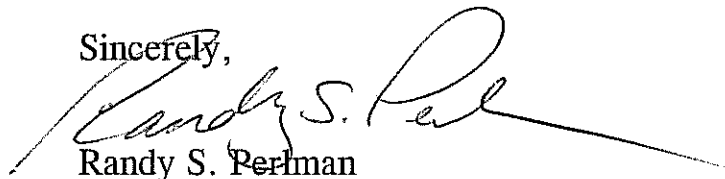
Dear Ms. Sheets:

Your client Mario D'Angelo Alexander testified in a civil deposition on May 5th, 2011. Attached is a copy of the transcript. At page 69 he admits to owning the Sig Sauer and the Mossberg that are part of the pending charges against him. As you can see the deposition was also videotaped. As you can also see at the outset of the deposition I tried to convince your client and other counsel, Michael Barnes, to contact you before the deposition went forward in light of the pending charges and in light of the fact that my client's interests in the civil matter were adverse to Mr. Alexander's.

Please be advised that a copy of the transcript has been forwarded to Jeremiah V. Ross, Deputy District Attorney, who I informed that I would be providing you a copy. I also offered to share with Mr. Ross any and all contents of my file that might assist him in the prosecution of your client.

If you should have any questions, please do not hesitate to call.

Sincerely,



Randy S. Perlman

RSP:sv
Enc.

cc. via emails w/o enclosures: Michael Barnes; Jeremiah V. Ross